



DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

**LOURDES P. AGUON-SCHULTE,**

Plaintiff,

vs.

**THE GUAM ELECTION COMMISSION,  
et al.,**

Defendants.

**CIVIL CASE NO. 04-00045**

**JAY MERRILL, on his own behalf and on  
behalf of all other similarly situated voters  
desirous of casting a vote in favor of  
Proposal A at a fair and legal election,**

Plaintiff,

vs.

**THE GUAM ELECTION COMMISSION;  
GERALD A. TAITANO, in his capacity as  
the Executive Director of THE GUAM  
ELECTION COMMISSION, I MINA  
BENTE SIETE NA LIHESLATURAN  
GUAHAN (The 27<sup>th</sup> Guam Legislature);  
FELIX P. CAMACHO, in his official  
capacity as the GOVERNOR OF GUAM.**

Defendants.

**CIVIL CASE NO. 04-00046**

**SCHEDULING NOTICE**

**THOMAS L. ROBERTS, Esq.,  
Dooley Roberts & Fowler LLP  
Suite 201, Orlean Pacific Plaza  
865 South Marine Drive  
Tamuning, Guam 96913**

**JOAQUIN C. ARRIOLA, Jr. Esq.,  
Arriola, Cowan & Arrila  
Suite 201, C & A Building  
259 Martyr Street  
Hagatna, Guam 96910**

ORIGINAL

1 **ROBERT M. WEINBERG, Esq.,**  
2 **Office of the Attorney General**  
3 **120 West O'Brien Drive**  
4 **Suite 2-200E**  
5 **Hagatna, Guam 96910**

**THERESE M. TERLAJE, Esq.,**  
**Law Office of Therese M. Terlaje**  
**Suite 216, Union Bank Building**  
**194 Hernan Cortes Avenue**  
**Hagatna, Guam 96910**

6 **CESAR C. CABOT, Esq.,**  
7 **Law Offices of Cesar C. Cabot, P.C.**  
8 **BankPacific Building**  
9 **Suite 201, 825 South Marine Drive**  
10 **Tamuning, Guam 96913**

**MICHAEL A. PANGELINAN, Esq.,**  
**Law Offices of Calvo & Clark**  
**Suite 202, First Savings & Loan Building**  
**655 South Marine Drive**  
**Tamuning, Guam 96913**

11 The Local Rules establish procedures for complying with Rule 16(b) and 26(f) of the  
12 Federal Rules of Civil Procedure. Counsel should study Local Rules before attempting to process  
13 cases in this Court. Pursuant to Local Rule 16.1 and 16.2, it is hereby ORDERED that:

14 1. Counsel of record and all pro se litigants that have appeared in the case must  
15 meet and confer, within fifteen (15) days after receipt of this Notice, but no later than sixty (60)  
16 days after the filing of the complaint, prior to commencing discovery.

17 2. A proposed Scheduling Order and a proposed Discovery Plan shall be filed  
18 on or before the 7<sup>th</sup> of **January, 2005**. Careful and immediate attention should be given to the  
19 directions in Local Rules 16.1 and 16.2 to ensure complete and timely compliance with Federal  
20 Rules 16(b) and 26(f), and Local Rules.

21 3. Plaintiffs' counsel, or if the plaintiff is pro se, then the pro se plaintiff, must  
22 take the lead in the preparation of the Scheduling Order. If a defendant is not contacted by a pro se  
23 plaintiff within the required time frame, the defendant's counsel shall contact the pro se plaintiff and  
24 arrange a meeting to comply with this Rule in the appropriate time frame. The failure of a party or  
25 its counsel to participate in good faith in the framing of a Scheduling Order may result in the  
26 imposition of sanctions.

27 4. Counsel of record and all pro se litigants that have appeared in the case are  
28 jointly responsible for submitting a Proposed Discovery Plan to the Court.

5. A Scheduling Conference shall be held on the 24<sup>th</sup> day of **January, 2005** at  
**10:00 a.m.**

6. Counsel are reminded that:

- a) The filing of motions does not postpone discovery.
- b) Local Rule 37.1 governs discovery disputes and motions.
- c) The number and form of interrogatories are governed by Local Rule 33.1.

- 1 d) Discovery documents and certificates of service shall not be  
2 filed with the Clerk until there is a proceeding in which the  
3 document or proof of service is in issue.

4 Dated: December 3, 2004

MARY L.M. MORAN  
Clerk , District Court of Guam

5  
6 By:   
7 Deputy Clerk